

Attorney Docket No. 2001-1018A

Confirmation No. 4417

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : UEKAWA ET AL.

APPL. NO. : 09/918,829

ART UNIT : 2839

FILED : 08/01/2001

EXAMINER : DUVERNE, J. F.

FOR : OPTICAL DEVICE PERMITTING PASSIVE ALIGNMENT OF LENS
ELEMENT

RE : MAILING ERROR

EXAMINER JEAN F. DUVERNE
UNITED STATES PATENT AND TRADEMARK OFFICE
P. O. Box 1450
ALEXANDRIA, VA 22313-1450

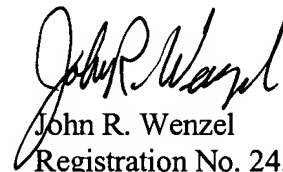
The following documents were mailed to our office in error. Please forward the documents to the appropriate law firm, Wenderoth, Lind & Ponack, LLP. 2033 K Street, N.W. Suite 800, Washington, D.C. 20006-1021.

RECEIVED

JUL -8 2004

TECHNOLOGY CENTER 2800

Respectfully,



John R. Wenzel
Registration No. 24,768
(703) 486-1000

JRW:lxh
Attachments

SMOJ/JCWS

JUL -2 2004

RECEIVED



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,829	08/01/2001	Masahiro Uekawa	2001-1018A	4417

7590 06/03/2004
RICHARD C LITMAN
LITMAN LAW OFFICES LTD
P O BOX 15035
CRYSTAL CITY STATION, VA 22215

EXAMINER

DUVERNE, JEAN F

ART UNIT PAPER NUMBER

2839

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/918,829

Applicant(s)

UEKAWA ET AL.

Examiner

Jean F. Duverne

Art Unit

2839

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

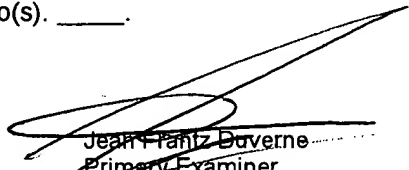
Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____


Jean-François Duverne
Primary Examiner
Art Unit: 2839

Continuation of 5. does NOT place the application in condition for allowance because: Pimpinella's device discloses the claims limitations, the examiner disagree with applicant's argument to disferenciate over prior art (see previous action for more details).

Organization IC2800 Bldg./Room Jeff

UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450

Alexandria, VA. 22313-1450

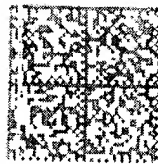
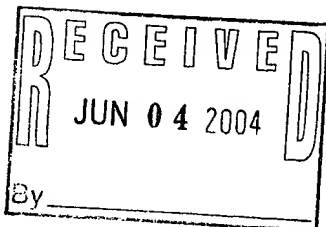
If Undeliverable Return In Ten Days

Official Business

Penalty For Private Use, \$300

AN EQUAL OPPORTUNITY EMPLOYER

Not ours



UNITED STATES POSTAGE
02 1A
0004202245
JUN 03 2004
\$ 00.600
UNITED STATES POSTAGE
U.S. OFFICIAL MAIL
PENALTY FOR
PRIVATE USE \$300
PRINTED FROM ZIP CODE 22202

22213+0033 01

